



PATENT

Attorney Docket No.: WELL-010280

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR TRANSMITTING DOWNHOLE DATA TO THE SURFACE

the specification of which:

() is attached hereto.

(X) was filed on March 12, 2004 as Application Serial No. 10/799,840 and was amended on _____ (if applicable).

() was described and claimed in PCT International Application No. _____, filed on _____ and as amended under Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to be material to the patentability of any claim in accordance with 37 CFR §1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

I hereby claim foreign priority benefits under 35 USC §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

| Number | Country | Day/Month/Year Filed | Priority Claimed? |
|--------|---------|----------------------|-------------------|
| -NONE- | | | |

This declaration is of the following type: (if applicable)

() divisional

() continuation

() continuation-in-part

I hereby claim the benefit under 35 USC §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 USC §112, first paragraph, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PRIOR UNITED STATES APPLICATION(S)
Number Day/Month/Year Filed Status (Patented/Pending/Abandoned)
-NONE-

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and as agents to represent me before all the competent International Authorities in connection with any international applications filed with any Receiving Office under the Patent Cooperation Treaty claiming priority to this application, and to make or receive payments on my behalf: J. Richard Konneker, Reg. No. 28,867; and Marlin R. Smith, Reg. No. 38,310 of KONNEKER & SMITH, P.C. 660 N. Central Expwy., Suite 230 Plano, Texas 75074.

SEND CORRESPONDENCE TO: Customer Number 20558

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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